

## REMARKS

The claims in the application are 1-16 and Claims 21-24 added by the present amendment.

Favorable reconsideration of the application as amended is respectfully requested.

The Abstract and specification have been amended to eliminate the objections raised in paragraphs 3 and 5 of the Office Action, with the claims amended to eliminate the rejections under 35 U.S.C. §112, second paragraph raised in paragraphs 8 and 9 of the Office Action. In this regard, Claims 21 and 22 introduced herein are respectively directed to recitation deleted from Claims 3 and 11, while Claims 23 and 24 find support throughout the present application and drawings. Additionally, it is respectfully pointed out Claims 8 and 10 do not recite "the locking projections."

It is also respectfully pointed out the objection to the drawings raised in paragraph 6 of the Office Action is improper, because reference numeral 4 has only been used to designate the bottom of a drawer and reference numeral 25 has only been used to designate an end stop. Accordingly, the only outstanding issue is the art rejection of the claims.

More particularly, Claims 1-6 and 10-20 have been rejected under 35 U.S.C. §102 as being anticipated by DE 9204845 or U.S. Pat. No. 5,580,139 to Grabher in paragraphs 11 and 12 of the Office Action, while Claims 7-5 have been rejected under 35 U.S.C. §103 as obvious over Grabher in view of DE 20211803 to Salice in paragraph 15 of the Office Action. However, it is respectfully submitted the

present invention as recited in all pending claims herein defines patentable subject matter over this art, for the following reasons (reference will be made to preferred embodiments of the present invention illustrated in the drawings of the present application).

The present invention provides explicitly improves connecting a draw-out rail 5 to a drawer over DE 92 04 845 where relatively little force can uncouple the rail from the drawer, e.g., if the drawer is heavily filled. At the same time, unlocking of the rail 5 from the drawer is facilitated because need for long levers or rods transmitting unlocking force has been eliminated; such long levers or rods could be easily bent, e.g., by a top-heavy drawer, and thereby impede both unlocking and re-insertion of the drawer into locking connection.

These and other objects are explicitly attained by the present invention as recited in independent Claim 1 which is directed to a device for connecting a draw-out rail 5 of a drawer guide 5,6 to a drawer and comprises an installation fitting 10 having a catch 11 swivelled against a spring and interlockable with the rail 5. A two-armed lever 13 releases the catch 11 from interlocking the rail 5 and is held on the installation fitting 10. More particularly, the two-armed lever 13 has one arm 32 shaped as a handle and another arm 30 for releasing interlocking of the catch 11 with the rail 5. This arm 30 directly engages the locking catch 11 or a force transmission element connected to the locking catch 11 in a region of the locking catch 11.

The features of the presently claimed invention together with the accompanying advantages attained thereby are neither disclosed nor suggested by the applied art, for the following reasons.

In the applied art, the catch itself is formed as a two-armed lever whereas in the present invention, the two-armed lever 13 and catch 11 are formed as distinct, separate elements. More particularly, in DE 92 04 845, the catch forms the longer arm of a two arm lever having a shorter arm engaging a second two arm lever having a handle. As described in the background portion of the present application, DE 9204845 shows a shorter arm of a second two arm lever engaging a shorter arm of a first two arm lever bearing the catch on the longer arm thereof, unlike the present invention where the arm 30 of the lever 13 directly engages the locking catch 11 or a force transmission element connected in the same region. The catch 11 itself, even though it can be swivelled against the spring force, is fixedly attached to the installation fitting 10 (please see, e.g., Claim 23).

Grabher fails to show a rotatably-mounted two-arm lever; the integral-shaped part comprising a hand-grip 16 is not rotatably mounted. Rather, locking and release is controlled by lateral and longitudinal movement of adjustment wedge 23 as shown in Figs. 1 and 2 and described at column 6, lines 20-45 of Grabher.

More particularly, in Grahber, the catch 14 with the hook 13 forms one arm of a two arm lever, the second arm of which is formed by the handle 16. The central portion of this two arm lever is formed by flexible webs 17 and 15 connecting the

catch 14 and the handle 16 with a base plate 2. As can be seen in Fig. 1 of Grabher, the catch 14 will move to the left side when the hand grip 16 forming the second arm of the two-arm lever is pressed to the right side, disengaging the hook 13 from the draw-out rails (column 4, line 59- column 5, line 8).

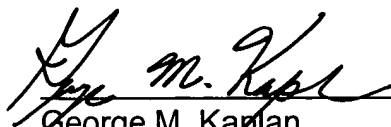
In contrast, in the present invention the two arm lever 13 is a separate, distinct element from the catch 11 and only engages the locking catch 11 or force transmission element connected to the locking catch for releasing the position of the catch 11 with the draw-out rail 5 (please see, e.g., Claim 24).

Salice adds nothing to DE 92 04 845 or Grabher which would render obvious the present invention recited in any claim. The remaining art of record has not been applied against the claims and will not be commented upon further at this time.

Accordingly, in view of the forgoing amendment and accompanying remarks, it is respectfully submitted all claims pending herein are in condition for allowance. Please contact the undersigned attorney should there be any questions. A petition for an automatic two month extension of time for response under 37 C.F.R. §1.136(a) is enclosed in triplicate, together with the requisite petition fee.

Early favorable action is earnestly solicited.

Respectfully submitted,

  
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